

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY BUCHAREST IMMEDIATE

C O N F I D E N T I A L STATE 260633

C O R R E C T E D C O P Y (LINE 6, PARA 2 OMITTED)

E.O. 11652: GDS

TAGS: EEWT, PFOR, CPRS, RO

SUBJECT:PROPERTY CASES - GSP

REFS: A) BUCHAREST 5553; B) BUCHAREST 5552

1. WE SHARE EMBASSY CONCERN REGARDING UNSATISFACTORY ROMANIAN RESPONSE TO QUESTIONS CONCERNING ARBITRARY LIMITS ON COMPENSATION TO BE PAID UNDER DECREE 223 AND ABSENCE OF COMPENSATION TO BE PAID FOR LAND (REFTELS). ALTHOUGH WE ARE NOT AWARE OF CASES WHICH MIGHT INVOLVE LAND ALONE, WE BELIEVE IT IS DESIRABLE TO HAVE UNDERSTANDING THAT COMPENSATION WOULD BE PAID IN SUCH CASES REGARDLESS OF PROVISIONS OF DECREE 223.

2. IN VIEW OF PATAN'S PRESENCE FOR COMMISSION MEETINGS WE WILL USE THIS OCCASION TO PRESS FOR UNDERSTANDING THAT LIMITS WOULD BE EXCEEDED WHEN APPROPRIATE AND THAT LAND
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WOULD BE ELIGIBLE FOR COMPENSATION SHOULD SUCH CASES

ARISE. DURING MEETING WITH DEPARTMENT OFFICERS ON OCTOBER 31, EUGEN POPA, DIRECTOR AMERICAN DESK MFA, STATED THAT PATAN WOULD BE ABLE TO ASSURE US THAT REGARDLESS OF PROVISIONS OF DECREE 223 CONCERNING LIMITS ON COMPENSATION, GOR WOULD BE PREPARED TO EXCEED THESE IN CASES WHERE USG MADE INFORMAL PRESENTATION

INDICATING THAT SUCH LIMITS WERE CLEARLY INADEQUATE. WE WILL PURSUE THIS AND QUESTION OF LAND COMPENSATION WITH PATAN. (POPA CONFIRMED CHARGE'S IMPRESSION PARA 4 REF B THAT PATAN HAS INSTRUCTIONS FROM CEAUSESCU TO OBTAIN ASSURANCES RE GSP WHILE HE IS HERE.)

3. RE PARA 5 REF B AND MITRAN'S STATEMENT THAT ALL LAND HAD BEEN TAKEN PRIOR TO 1960 CLAIMS AGREEMENT AND THEREFORE THIS QUESTION WOULD NOT ARISE, WE DO NOT BELIEVE THAT THIS IS CASE. FACT THAT DECREE 223 MENTIONS TAKING OF LAND AT THIS TIME IS CLEAR INDICATION THAT LAND DOES REMAIN IN PRIVATE HANDS, REGARDLESS OF NATIONALIZATION LAWS WHICH MAY HAVE BEEN ENACTED IN LATE 1940'S AND EARLY 1950'S. IN OUR CONSIDERATION OF THIS ISSUE IT IS IMPORTANT TO NOTE THAT DISCRIMINATION IS NOT THE ISSUE HERE. WE ARE INTERESTED IN OBTAINING PROMPT, ADEQUATE AND EFFECTIVE COMPENSATION FOR AMERICAN CITIZENS WHOSE PROPERTY MAY BE TAKEN. TREATMENT OF ROMANIANS OR OTHER FOREIGNERS IS NOT RELEVANT.

4. WE ARE ALSO OF COURSE INTERESTED IN LEARNING MITRAN'S RATIONALE FOR CLAIMING THAT ALL LAND HAD BEEN TAKEN PRIOR TO 1960. KISSINGER

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